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NEWS & VIEWS

Balancing the Books

To hell with the law, but not the budget. . . .

Congressman Robert Drinan recently asked the FBI and CIA for photostats of the files kept on him.

The FBI sent around a dossier of 81 pages; the CIA, 10 pages plus 10 newspaper clippings.

The FBI billed Drinan \$8.10, or 10¢ per page as allowed. As of June 19, the CIA had not sent its bill.

WASHINGTON REPORT

THE SECOND SHOE

The *New York Times* has, in effect, recently apologized to one of the few genuine reporters it has. The reporter is Seymour Hersh, who last December exposed domestic wrong-doings of the Central Intelligence Agency (CIA).

Hersh first "broke" the story on a Sabbath last December. He wrote that the CIA "had violated its charter by conducting massive, illegal intelligence operations aimed at (domestic) anti-war activists and other American dissidents inside the United States." Hersh estimated that the CIA had collected information about "at least" 10,000 Americans. Within a few days, the *Times* published an editorial downgrading the Hersh story—a position it maintained for a considerable length of time. Hersh persisted in his explanatory reportage, so unappreciated by influential persons at the *Times*.

Finally, President Ford was obliged to establish an investigatory commission headed by Vice President Rockefeller. Within carefully circumscribed limitations—it was not, for example, to inquire into the extent, scope, nature or value of the CIA's overseas "dirty tricks" operations—the Commission set to work. In mid-June, it released its findings. The Rockefeller Commission validated the Hersh exposures.

The Commission, among other things, reported that the CIA had unlawfully collected, during a six-year period beginning in 1967, materials on dissident Americans that produced 13,000 files and related documents that contained the names of more than 300,000 persons and

organizations. It investigated federal income-tax records of sixteen persons. The CIA gave President Nixon classified information relating to military actions abroad that Nixon used to his political advantage, although the Rockefeller Commission said the CIA didn't know the materials would be used that way. The CIA, at the request of Nixon aides, kicked-in \$38,000 to defray costs of replying to those who wrote to President Nixon following the invasion of Cambodia.

In its reporting of the Commission's findings, the *Times* published three stories paying tribute to Hersh. One, appearing on page one, was written by Clifton Daniel, chief of the *Times*'s Washington bureau, where Hersh is currently assigned. Another pointed out that the principal allegations of the numerous stories by Hersh were validated by the Rockefeller Commission. A third story similarly credited Hersh. All three were suitable secular acts of contrition—long overdue.

The second shoe has yet to drop. It's held by Senator Church, chairman of the Senate Select Committee on Intelligence Activities, like the Rockefeller Commission, established after the Hersh revelations to explore activities of the CIA. Its writ, however, includes permission to inquire into the clandestine operations (dirty tricks) of the CIA. The Church Committee is scheduled to complete its work this year. Church, a conscientious, righteous "loner" at age 50, has in his typically mannered and cautious way let it be known he'd like to be elected President next year.

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Church talks a pretty good game these days. Rockefeller recently said that the law-breaking offenses of the CIA were not "major." Church responded tartly that his Committee had from evidence that planning of assassinations of leaders of other governments was one CIA activity. "I don't regard murder plots as a minor matter," Church said. "Ours is not a wicked country and we cannot abide a wicked Government."

But the question before the house is whether Church will let the second shoe drop, assuming, as he is publicly indicating, that it should be dropped, or simply will place the shoe softly on the floor. "I hope we can relate the acts in a manner that will least injure the country," he said the other day. The past lions of the Senate—Borah, for example, who, like Church, represented Idaho—would have let the shoe drop, if warranted. But his, Borah's, was not an Organization Man's age and Borah did not want to be President. His were other times and other customs, when thunder in the Senate was accepted, even approved, and men of the President's Cabinet left, if they disagreed on major issues, with a bang, not a whimper—the latter is the case these days. Outspokenness was the order-of-the-day; while in contemporary times, the conventional wisdom, as applied to, say, a thunderer like (the late) Senator Wayne Morse of Oregon, is "The Senate can stand one Wayne Morse, but not two."

Church has walked courageously alone, or nearly so, in the days when opposition to our involvement in Indochina was just developing. He was set upon by Lyndon Johnson and risked political death in Idaho, with its large gun-toting Mormon population. But housebreaking the CIA is the most hazardous of undertakings. The right-wing members of his Senate Select Committee will be watching and running to the CIA if matters begin to cut toward the bone. The CIA, itself, may have infiltrated the Senate Committee's staff. And, if not, it is capable of putting out stories to willing correspondents to make it seem as if the Church Committee, or, more specifically, Church, himself, is, innocently or otherwise, playing into the hands of "America's enemies." The stakes are high; the dice are not Church's; and the committee doors are under surveillance. Committee members, especially Church, himself, meet not so much in a room as in a minefield.

The Church Committee does still have some leeway. The Town—that is Washington—has not yet made up its mind which way to play the CIA matter. Perhaps that is because the country doesn't seem to have made up its mind either, nor has the press corps.

So much is at stake and so many disparate matters are wired to each other, politically speaking.

The chances that the investigation be concluded in a manner fair to all—including the CIA, the existence of which can be persuasively defended—is made more difficult because the 1976 presidential election year is only

six months away. The elective offices of the federal government have phases. Like the moon, occupants of these elective offices—the President and the 535 members of Congress—have (political) phases. Freshly elected, they may understandably perform as if they have a "mandate" to continue business as usual or to vigorously pursue some course or other. For Senators, with a six-year term, and Presidents, with a four, this lasts about two years. For Representatives, with two-year terms, it only lasts a year or less. Then, for reason of political opposition or fatigue or discouragement, comes a slackening off of efforts. As the end of their terms approach, precinct politics begins to shade the issues. What maneuvers, what positions, what votes (or vetoes) will look most advantageous during the approaching re-election year? As the 1976 year nears, this outlook grows large. It is possible under these circumstances for public benefit to accrue. But usually this comes about on the part of putative candidates now beginning to beat on the door to be admitted to elective office. Those inside *tend* to defend what they've done—not to embark or continue on with a difficult program or project.

This is where we are now on the CIA matter, and the energy-policy matter and the disarmament matter, and the economy matter.

But there is no immutable law. Things in America are never as bad as they seem. The Nixon impeachment proceeding took place in an election year, 1974. Those who did their duty, at that time and in a most difficult situation, were elected, it should be remembered, from the shabbier precincts of America—among them, Rep. Rodino of Newark, N.J., chairman of the impeaching House Judiciary Committee, and Rep. Thomas (Tip) O'Neill of Cambridge Mass., Majority Leader. Jimmy Breslin in his book on the affair, *How the Good Guys Finally Won*, suggests that in a chapter entitled "The night-school students are saving the country."

So with the unfinished CIA investigation before the Senate (and the nation). Looking for a descriptive phrase to apply to the situation, one is tempted to reach despondently for a remark made a long time ago by the painter Van Gogh: "I believe more and more that God must not be judged on this earth. It is one of His sketches that has turned out badly."

But, after all, a sketch is tentative—and Church still holds the second shoe.

SISYPHUS